

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS**

USA)
)
 Plaintiff,)
)
 vs.) 06 CR 770
)
 Ivan Byers)
)
 Defendant.)

PROTECTIVE ORDER

THIS CAUSE COMING ON TO BE HEARD on the City of Chicago's Motion for a Protective Order, all parties having appeared by their respective counsel, the Court being fully advised in the premises, and the Court having found just cause for the entry of a protective order,

IT IS HEREBY ORDERED that the City of Chicago's motion for a protective order with respect to the below listed Complaint Register file(s) produced pursuant to a subpoena and the Court's *in camera* inspection be granted as follows:

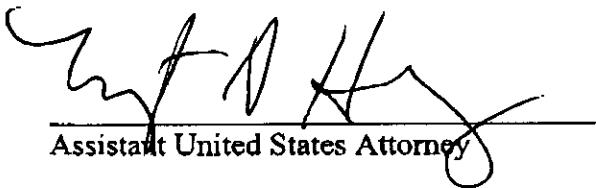
- (1) the City shall be permitted to redact from the below listed Complaint Register filed produced herein: all personal information relating to any police officer, including such information as his social security number, home address and telephone number, date of birth, and driver's license number;
- (2) the City shall be permitted to mark all Complaint Register files as "confidential";
- (3) all Complaint Register files that are produced pursuant to this order, shall be used solely by counsel to this action and only for purposes of this action and for no other litigation or purposes;
- (4) counsel to this action shall not disclose any of the documents produced or any information contained in the below listed Complaint Register files except to parties and counsel to this action and expert witnesses as may be needed to prosecute or defend this action, or as otherwise permitted pursuant to further order of this Court;
- (5) upon termination of this action, the provisions of this order shall continue to be binding upon all parties and attorneys to this action; and
- (6) within 30 days of the termination of this action, counsel for the parties shall return all copies of the below listed Complaint Register files that were produced, pursuant to this protective order to the Chicago Police Department, Office of Legal Affairs (Unit 114) 3510 S. Michigan Avenue, Chicago, Illinois 60653.
- (7) The signatories below agree to the following terms and limitations:

- a. The signatories are familiar with HIPAA (Health Insurance Portability and Accountability Act of 1996, codified primarily at 18, 26 & 42 U.S.C. (2002)) and the Privacy Standards (Standards for Privacy of Individually Identifiable Health Information, 45 C.F.R. §§ 160 & 164 (2000)).
- b. The signatories recognize that it may be necessary during the course of this proceeding to produce PHI (protected health information, as that term is used in HIPAA and the Privacy Standards).
- c. The signatories agree not to use or disclose the PHI released for this proceeding for any other purpose or in any other proceeding.
- d. The signatories agree to store all PHI while it is in their possession according to the Privacy Standards.
- e. The signatories agree at the termination of this proceeding to dispose of the PHI released during the course of this proceeding pursuant to the Privacy Standards.

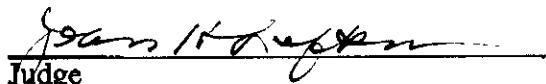
(8) The file/files which are being turned over and protected by this protection order are the following: 281331; 286655; 287737; 287574; 289219; 294252; 299219; 301704 and all Arrest Reports.

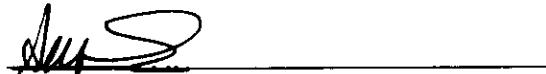
APR 13 2007

ENTER:



Assistant United States Attorney



Judge


Defendants Attorney(s)

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